BLOCK MANAGEMENT PROGRAM DEPARTMENT OF FISH, WILDLIFE, & PARKS

Legislative Audit Division
Performance Audit (13P-04)
October 2013



BLOCK MANAGEMENT PROGRAM **OVERVIEW**

Cooperative effort: FWP, landowners & public land management agencies

- § Hunting access to private, isolated federal and state trust lands
- § Compensation mitigates impacts (private land) ü \$11 per hunter day, \$12,000 max

Landowner/Sportsman Relations Bureau (Wildlife Division)

- § Regional Hunting Access Coordinators
 § Other FWP staff assistance
- § Private Land/Public Wildlife Council

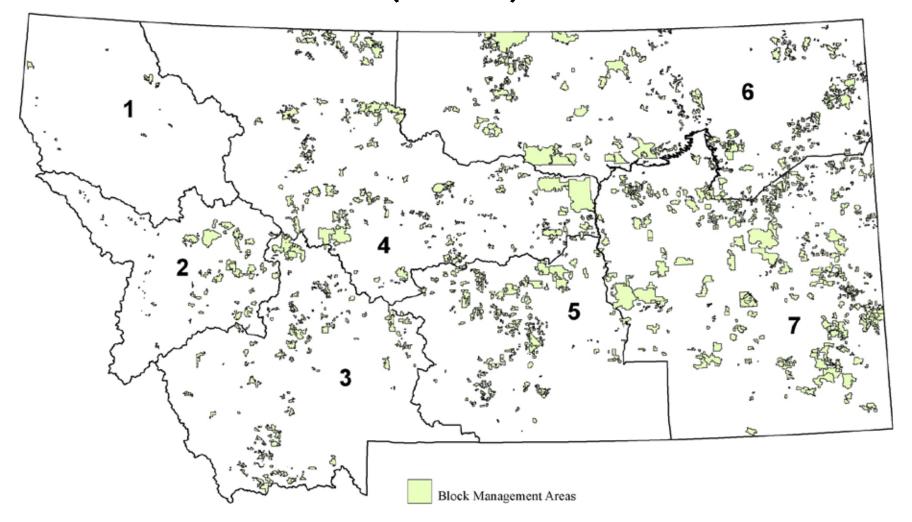
Types of BMAs

- § Type I: hunter issued permission § Type II: landowner or FWP issued permission

2012 PROGRAM STATISTICS

Region	Total # BMAs enrolled	Total Acreage enrolled	Total # contracts	<u>Total</u> <u>cooperator</u> <u>payment</u>
1 & 2	77	1,292,520	162	\$493,287
3	81	607,352	111	\$664,287
4	118	1,384,216	232	\$930,534
5	144	750,139	191	\$608,699
6	150	1,367,810	318	\$1,018,942
7	288	2,765,396	369	\$1,239,216
Total	858	8,167,433	1,383	\$4,954,966

BLOCK MANAGEMENT AREAS BY REGION (2012)



PROPERTY ENROLLMENT PROCESS

Regional Level Evaluate Against Criteria



Contract with landowner

PERFORMANCE AUDIT OF BLOCK MANAGEMENT

Audit Objectives:

- § Are properties reviewed for participation measured against established criteria
- § Is the process to calculate/issue cooperator benefits consistent & ensure accurate payment

Five Areas Addressed:

- § Enrollment, re-enrollment & contracting
- § Program funding
- § Access to federal and state trust lands
- § BMAs in FWP conservation easements
- § Alternative compensation method

ENROLLMENT & RE-ENROLLMENT

Enrollment process inconsistent

- Processes vary within/between regions Different staff involved

Enrollment decisions not documented

- Missing applications & evaluation forms
- Unsupported evaluation scores
- Undocumented enrollment committee decisions

- Re-enrollment process

 § Decisions lacked documentation/support
 § Unable to determine why BMAs re-enrolled

ENROLLMENT & RE-ENROLLMENT CONTRACTS

Contracts set BMA rules, hunting opportunity & compensation

Contracts have consistency & documentation weaknesses

- Differences between application, evaluation form & contract (Acreage, huntable species, BMA rules, etc.)
- Missing signatures from state/federal land management agencies
- No payment reduction for season restriction

FWP unable to demonstrate funds spent on highquality BMAs

ENROLLMENT, RE-ENROLLMENT & CONTRACTS

Recommendation 1

Develop/implement comprehensive policies and procedures to document and establish consistency in the enrollment, contracting and re-enrollment processes

BLOCK MANAGEMENT FUNDING

Main funding source

- 25% NR big game combo & deer licenses
 ü Earmarked to hunting access account
- Supplemented by PR grant funds

HB 607 (2011): Elk license refund & purchase deer license

- Refund \$ removed from hunting access account
- New deer license sales to FWP general license account

Hunting Access Account Funding Trends

	FY2009	FY2010	FY2011	FY2012	FY2013
Hunting Access Revenues	\$5,408,595	\$4,731,878	\$6,288,304	\$4,868,641	\$5,988,420
Pittman-Robertson Moneys	\$319,800	\$528,844	\$314,504	\$809,437	\$1,513,224
Total Revenues (Including Pittman-Robertson)	\$5,728,395	\$5,260,722	\$6,602,808	\$5,678,078	\$7,501,644
Total Expenditures	\$6,802,809	\$7,884,968	\$8,103,996	\$7,512,846	\$7,251,324
Fund Balance	\$6,242,552	\$3,618,305	\$2,117,117	\$282,349	\$532,669

BLOCK MANAGEMENT FUNDING

Declining NR license sales & elk license refunds

Reduced access account \$1.03 million

Program expenditures exceed revenues

Pittman-Robertson funds not reliable

Enrollments/cooperator payments tied to funding

- No new properties enrolled in 2012
- Could impact existing BMAs

BLOCK MANAGEMENT FUNDING

Recommendation 2

Reduce total expenditures for the Block Management Program or review additional options to increase revenues

5.1 million acres of trust land & 25 million acres of federal land

Law/rule allows access to legally accessible lands

Legally accessible:

- Public road/right-of-way
- Public waters (rivers, streams, etc.)
- Adjacent public lands
- Private land with permission to cross private land

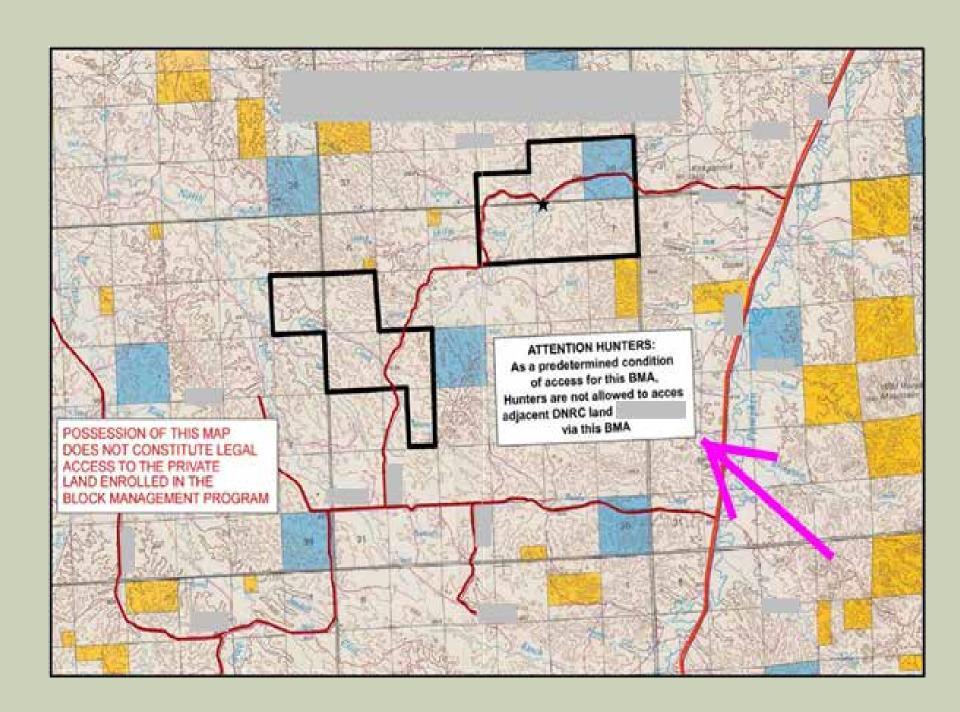
Some BMAs prohibit hunter access to adjacent state lands

- § One BMA also required lessee notification
- § Another BMA also restricted federal land access

Legal hunting access restricted

Hunters completing BMA access requirements have permission

§ Can access adjacent public lands



Access restrictions approved by FWP at request of cooperators

- FWP has no legal authority
- Deviate from program objectives

Request to restrict access should follow ARM procedure (36.25.152)

- Prevent damage, weed control, etc.
- Petition must be filed with DNRC & go through public hearing

ARM (36.25.155) excludes legal hunting from notification requirements

Recommendation 3

- § Allow public hunting access to state & federal lands adjacent to BMAs that do not have access restrictions imposed by the appropriate land management agencies
- No longer require hunters to notify lessees of trust lands prior to engaging in legal hunting activities
- § Coordinate with DNRC to restrict public hunting access to trust lands when requested by cooperators

OTHER STATE/FEDERAL LAND RECOMMENDATIONS

Obtain approval from federal land management agencies to incorporate federal land in BMAs

Coordinate with DNRC for State Trust Land inclusion in BMAs

- Public notice if BMA rules more stringent for publically accessible lands
- Amend ARMs for isolated trust lands to ensure consistency

CONSERVATION EASEMENTS

FWP conservation easements:

- § Keeps land in private ownership
- § Protects natural resource value
- § Perpetual public hunting access

BMAs enrolled in conservation easements

- § 26 BMAs within 23 conservation easements
 - ü FWP paid \$11 million for these easements
 - ü Payment calculated cost for public hunting access
- § FWP also paid \$1.97 million for BMAs in these easements (2001-2012)

CONSERVATION EASEMENTS

Program objective is to increase access where it does not exist

§ Conservation easements provide public access

Compensation provided to mitigate impacts

- § Impact already calculated into CE cost
- § Not effective use of program funding
 - ü Could free up \$200,000/year for new BMAs
 - ü Can provide other benefits to cooperators in both

CONSERVATION EASEMENTS

Recommendation 6

Do not provide monetary compensation through the Block Management program for private acreage that is also in a department conservation easement

Payments based on hunter days/impact

- § \$11/hunter day, \$12K maximum
- § Calculated from hunter use documents

Significant payment control weaknesses

- § 36 of 37 BMAs had errors, missing or incomplete hunter use documents
- § Time consuming/resource driven
- § Not ensuring accurate payment or impact

Examples of weaknesses:

- § Mathematical errors
- § Inconsistent BMA hunter counts
- § Season-long permission
- § Spring hunting seasons
- § Aggregate bonus

Current process is not reliable or accurate

- § Overpayments
- § Underpayments
- § Hunters/cooperators must complete documents
 - ü FWP cannot ensure accuracy

Other states & other FWP programs base payments on other criteria

§ Per acre, negotiations, etc.

FWP goals require fiscal responsibility

Law/rule allows various factors be considered

- not just hunter days
 - § Habitat, game populations, public land access, negotiations, etc.

Recommendation 7

Use statutory criteria to implement a compensation method that ensures accurate, equitable and consistent payments to cooperators

BLOCK MANAGEMENT PROGRAM

DEPARTMENT OF FISH, WILDLIFE, & PARKS

Questions?

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